

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHIRLEY J. BAILEY,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

2:11-CV-725 JCM (GWF)

ORDER

Presently before the court is defendant Wells Fargo Bank, N.A.'s motion to expunge lis pendens. Plaintiff Shirley J. Bailey has failed to file an opposition.

Pursuant to Local Rule 7-2(b), an opposing party's failure to file a timely response to any motion constitutes the party's consent to the granting of the motion.

Here, plaintiff filed the instant complaint on May 6, 2011, and recorded a lis pendens against the real property at issue on June 9, 2011. This court granted the motion to dismiss plaintiff's claims (doc. #14) on August 8, 2011. Plaintiff has failed to release the lis pendens.

The claims against defendant being dismissed, and the case now closed, the lis pendens is no longer necessary. In light of these facts and the plaintiff's failure to respond, the court finds it is appropriate to expunge the lis pendens.

Accordingly,

...

...

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that defendant's motion to
2 expunge the lis pendens (DOC. #15) be, and the same hereby is, GRANTED.

3 DATED September 22, 2011.

4
5 
6 **UNITED STATES DISTRICT JUDGE**